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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/027,600	12/19/2001	Wayne C. Hom	2019.320	1285

7590 12/17/2004

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EXAMINER	
TANG, SON M	

ART UNIT	PAPER NUMBER
2632	

DATE MAILED: 12/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/027,600	HOM ET AL.	
	Examiner	Art Unit	
	Son M Tang	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 October 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1 and 10 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation "private" is not supported in the original spec., the paragraph applicant referred to in the remarks (background invention page 2) merely mention about the drawback of telephone is the labor cost to install the telephone line, not about a security of telephone communication. New matter has to be cancelled.

As a result the follow prior art rejection considers the claimed invention without the new matter which is to be cancelled.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-**3, 6-8 and 9-15** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443].

Regarding to claims 1 and 10: AMES et al. disclose a system for monitoring the operation of a security system comprising:

-a security system met by a sentry unit [100] for controlling access to a secure area includes, a movable barrier [402] operated by a barrier controller [414] [see Fig. 1 and 6];

-a diagnostic module met by watch commander [102] in conjunction with sentry unit [100], watch commander includes a microprocessor [200], which monitors various operational parameters of the security system feed from sentry unit [see Fig. 7A &B paragraph 0065];

-said watch commander [102] includes a two-way wireless communications (met by secondary network [202] (redundant communication link) conjunction with said microprocessor [200] (as shown in Fig. 7A, paragraphs [0065 and 0071];

-a remote monitor met by a host computer [104] capable of two way wireless communication with said communication unit of watch commander unit; and

-wherein said microprocessor [200] of watch commander unit monitors the operational parameters of the sentry unit and when any of said operational parameters of the system reach a pre-designated (predetermined) level which met by the internal rules set, the watch commander automatically (***real time***) reports to said host computer [see Fig. 3 and paragraphs 0063, 0091-0094, 0096-0099 and **0088**].

AMES et al. does not specifically disclosing a private two way wireless for communicating from the watch commander to host computer, it is known in the art that, most of wireless communication devices have its own unique or private frequency for communicating

with each other, such as radio walkie-talkie or any radio frequency transceiver device. Therefore, it would have been obvious of one having ordinary skill in the art to recognize that using private two way wireless is preventing from interference with other communication frequency.

Regarding to claims 2 and 13: AMES et al. further disclose that wherein the remote monitor (host computer or master) is polling data (status of various operational parameters of the security system) from watch command (slave unit) [see paragraph 0072-0073].

Regarding to claims 6, 8 and 15: As stated by AMES et al. that the host computer and watch command communicating via cellular telephone [paragraph 0071], which met by the claimed of two-way pagers communication.

Regarding to claims 3 and 14: AMES et al. disclose all the limitation as described above, AMES et al. does not specifically show that the watch command unit (diagnostic module) is functionally independent of the security system. As stated in paragraph 0065 that the watch commander is identifying the operation problems and a communications interfaces between of a security system (sentry) and host computer. Therefore, it is obvious that watch command unit is functioning independently.

Regarding to claims 7, 9 and 11: AMES et al. disclose all the limitation as described above, except for not specific show that a service technician with said remote monitor communicates with said diagnostic unit. However, as long as the host computer is communicating with the watch commander, whether by automatic polling or manual is an

obvious of an alternative method of choice, since some problem that indicates of require technician attention (such as motor worn out or ice build up) at the gate.

3. Claims **4-5 and 12** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443] in view of **Parsadayan** [US 5,869,940].

Regarding to claims 4-5 and 12: AMES et al. disclose all the limitation as described above, except for not specific show that the diagnostic module has its own power supply. Parsadayan teaches a gate operator apparatus which comprising, a control circuit [92] includes a microprocessor [94] for controlling the gate, and a battery [108] cited in Fig. 6, col. 9,lines 15-25]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to use a back up or it owns power as taught by Parsadayan into the system of AMES et al. for preventing of false alarm.

4. Claims **16-18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443] in view of **Brittain et al.** [US 5,019,802].

Regarding to claims 16 and 18: AMES et al. disclose a system for monitoring the operation of a security system comprising:

-a security system met by a sentry unit [100] for controlling access to a secure area includes, a movable barrier [402] operated by a barrier controller [414] [see Fig. 1 and 6];

-a diagnostic module met by watch commander [102] in conjunction with sentry unit [100], watch commander includes a microprocessor [200], which monitors various operational parameters of the security system feed from sentry unit [see Fig. 7A &B paragraph 0065];

-said watch commander [102] includes a two-way wireless communications (met by secondary network [202] (redundant communication link) conjunction with said microprocessor [200] (as shown in Fig. 7A, paragraphs [0065 and 0071];

-a remote monitor met by a host computer [104] capable of two way wireless communication with said communication unit of watch commander unit; and

-wherein said microprocessor [200] of watch commander unit monitors the operational parameters of the sentry unit and when any of said operational parameters of the system reach a pre-designated (predetermined) level which met by the internal rules set, the watch commander automatically (***real time***) reports to said host computer [see Fig. 3 and paragraphs 0063, 0091-0094, 0096-0099 and **0088**].

AMES et al. fail to specify that wherein the local diagnostic 102 being powered by a second power system that is independent from said the first power system, whenever first power system is not operational.

Brittain et al. teach a security system which comprising, a first power system 70, and an additional second power system (batteries), which uses as a backup power [as cited in col. 7, lines 34-47]. Since, both references are using for monitoring, it would have been obvious of one having ordinary skill in the art to recognize that at the time the invention was made to employ a second power supply as taught by Brittain et al. into the system of AMES et al. for the benefit of increasing safety and prevent false alarm when first power supply failed.

Further more, **Parsadayan** also taught a known concept of backup battery 108 for preventing power line failure.

Regarding to claim 17: AMES et al. further disclose that the communication between said local unit and remote unit is initiated and maintained when proper security codes is received at remote unit [as cited in Fig. 9A-9D and [¶ 0074-0075].

7. Claim **19** is rejected under 35 U.S.C. 103(a) as being unpatentable over **AMES et al.** [US 2002/0002443] in view of **Gilbert et al.** [US 6,380,851] and further in view of Ferrer et al. [US 6,487,375].

Regarding to claim 19: AMES et al. and Gilbert et al. disclose all the limitation as described above, they are not specify that wherein said remote center is a pager unit carried by a technician. Ferrer et al. teach a system to communicate information from a plurality of machines to a remotely located receiver which comprises, a pager unit carried by a technician [as cited in the Summary of the invention and specifically col. 2, lines 39-41]. Since, Ferrer et al. system also uses for monitoring a diagnostic machine and reporting to the remote location, thus, it would have been obvious of one having ordinary skill in the art to recognize that the remote location can be a pager unit carried by a technician as taught by the prior at of Ferrer and it can be implement into the system of the combination above, for enhancing quick response to the problem.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Son Tang

DANIEL WU
SUPERVISORY PATENT EXAMINER
12/13/04